

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS RESPONSE

By the current response, Applicants basically:

1. Amend the independent claims to specify that a determination is made whether .. to operate or not operate.
2. Editorially amend independent method claim 54.
3. Add new dependent claims 90, 91, and 92, dependent upon independent claims 1, 42, and 54, respectively. These new dependent claims recite that the access group classification is received individually by the user equipment unit¹; and that user equipment unit makes the determination whether the user equipment unit is eligible to operate or not in the cell without the user equipment unit establishing a connection with the radio access network².
4. Thank the Examiner for the indication of allowable subject matter in claims 7-14, 17, 19, 46-49, 52-53, 60-65, 70 and 72.
5. Respectfully traverse all prior art rejections.
6. Advise the Examiner of the simultaneous filing of a Petition to Extend.

B. PATENTABILITY OF THE CLAIMS

Claims 1-6, 15-16, 18, 42-45, 50-51, 54-59, 66-69, 71 and 87-89 stand rejected under 35 USC §103(a) as being anticipated by U.S. Patent 6,889,040 to Koo et al in view

¹ See, e.g., page 16, lines 11 – 19 for support.

² That the user equipment unit makes the determination without the user equipment unit establishing a connection with the radio access network is understood from the fact that a connection with the radio access network is not made until (at the earliest) the location area update procedure of step 4-9. The claimed determination is made earlier, i.e., at step 4-5 of Fig. 4.

of U.S. Patent 7,184,771 to Mouly et al. All prior art rejections are respectfully traversed for at least the following reasons.

As previously stated, independent claims 1, 42, and 58 specify that the access group eligibility message is generated by a radio access network, but that the access group classification is generated by the core network. In other words, the core network decides to what groups the user equipment unit belongs, and separately the RAN broadcasts which groups can access which cells, with the user equipment unit making a comparison between the two sets of information (comparing access group classification and access group eligibility).

As previously mentioned, but now elaborated in more detail, any rejection premised on a combination involving U.S. Patent 6,889,040 to Koo et al is faulty. Applicants' claims require that the information which is included in the access group eligibility message be of a type which a user equipment unit can compare with information which is generated for the user equipment unit by a core network node. The Koo information which the office action alleges to be the claimed access group eligibility information is not the type which is downloadable from a core network node. Rather, the Koo alleged access group eligibility information is UE-prestored restriction criteria such as manufacturer code, model information, and firmware revision (see, e.g., the top of column 3). This Koo information is already resident at the mobile station, and thus does not have the possibility of being downloaded from a core network node. As admitted by the office action, Koo fails to disclose the access group classification generated by the core network node. Not only does Koo fail to disclose such access group classification, but Koo has no need to receive and thus makes no suggestion of receiving core network-generated access group classification. Thus, U.S. Patent 6,889,040 to Koo et al is not properly combineable with U.S. Patent 7,184,771 to Mouly et al.

Moreover, U.S. Patent 6,889,040 to Koo et al does not teach or address Applicant's claim criteria of a determination whether the user equipment unit is eligible to operate or not operate in a cell. Koo's intent is to determine whether a mobile station can use a most recent protocol revision or not (col. 1, lines 35 – 40). If a Koo mobile station is not qualified to use the recent protocol revision, the Koo mobile station can continue to operate, but using an older protocol revision (col. 1, lines 40 *et seq.*; col. 2, lines 12 *et seq.*). Thus, Koo does not determine whether a mobile station is able either (1) to operate or (2) not to operate at all.

U.S. Patent 7,184,771 to Mouly et al. tries to provide continuity of supply of certain services (particularly services normally provided to idle mode stations, such as a paging service) when those mobile stations transition from idle mode to active mode. *See*, e.g., col. 1, lines 63 – 65; col. 2, lines 31 – 35. Mouly purports to solve this problem by providing “service references”, e.g., references to the idle mode services) to a “control means”, e.g., to a base station controller (BSC) in a radio access network (*see*, e.g., col. 5, lines 31 *et seq.*).

The example idle mode service discussed by U.S. Patent 7,184,771 to Mouly et al. is a paging service. Mouly is thus concerned with the mechanics of paging, and presumes that there is no restriction on whether a mobile station intended for paging can actually be paged or not. Therefore, even if Mouly were properly combineable with U.S. Patent 6,889,040 to Koo et al, Mouly would not cure deficiencies of Koo such as the failure to determine whether a paged mobile should be permitted to operate or not.

Further, with regard to the independent claims and new dependent claims 90 – 92 in particular, Mouly does not claim an access group classification sent from a core network to a user equipment unit which is received individually by the user equipment unit from the core network. According to Applicants' claims, the user equipment unit can use the access group classification and the broadcast access group eligibility to

decide if the user equipment unit has access to a cell. The user equipment unit can make this determination in IDLE mode without having first to communicate with, or set up a connection in, the cell. In other words, the eligibility determination can be made without having to set up a connection with the radio access network, thereby saving signaling and the like.

In Mouly, the user equipment unit is not individually provided with access group classification from the core network (i.e., in Mouly's any classification is not provided to a user equipment unit specifically).. Anything alleged to be access group classification in Mouly cannot be provided by to the UE unless the cell already has prior knowledge that it should broadcast that classification to that particular user equipment unit. But when a user equipment unit is idle mode the cell does not yet have such knowledge (since the user equipment unit is in IDLE mode and has not yet communicated with that cell).

In view of such lack of knowledge, in Mouly the user equipment unit must first set up an "active" connection to the base station (or BSC), to provide the user equipment unit's reference to the BSC, so that later when that BSC receives services messages for that user equipment unit, the BSC can see if the user equipment unit is active or not. If the UE is active it can provide the messages or service directly to the user equipment unit on the active channel. Otherwise in Mouly the BSC can just broadcast the services, so that whatever user equipment unit in IDLE mode that is eligible to use the services can.

Thus, the rejection of the office action is erroneous since, e.g., Mouly makes no mention of a user equipment unit having an access group classification from the core network, how it would get the classification, and (even if it did get it) comparing it with an access group eligibility message to determine if a user equipment unit is allowed to access a cell or not.

C. MISCELLANEOUS

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /H. Warren Burnam, Jr./

H. Warren Burnam, Jr.
Reg. No. 29,366

HWB:lsh
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100